ADUR DISTRICT COUNCIL

Stickland Wright Ltd
4 Gloucester Passage
Brighton
BN1 4AS

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015
Schedule 2, Part 3, Class O

APPLICATION NUMBER: NOTICE/0011/20

Details of Development
APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR CHANGE OF USE FROM OFFICES (USE CLASS B1A) TO 53 NO. RESIDENTIAL UNITS (C3).

Location of Development
THE QUADRANT 60 MARLBOROUGH ROAD LANCING BUSINESS PARK LANCING WEST SUSSEX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby confirm that PRIOR APPROVAL IS REQUIRED and is hereby REFUSED for the above development, in accordance with the application and relevant correspondence registered on 10th August 2020, and further information received including the Planning Noise Assessment by Anderson Acoustics (Ref: 4912_001R_1-0_JE) received on 28th September 2020.

The reasons for the Council's decision to refuse to permit the development are stated on the schedule overleaf.

G Peck

Gary Peck
Planning Services Manager
10/11/2020

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

SCHEDULE

Reasons for Refusal

01. The Local Planning Authority has determined that Prior Approval is required in accordance with the requirements of Condition O.2 of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development)(England) Order 2015 and that such Prior Approval is hereby REFUSED, for the following reason:

On the basis of the available information the proposed change of use from offices to residential use would result in the creation of dwellings in close proximity to a wide range of commercial uses including waste management, engineering, logistics, maintenance uses, window and kitchen manufacturing premises, warehousing and accident car repair. The Local Planning Authority considers that there would be a significant adverse impact upon future occupiers of the development resulting from noise created by these nearby commercial premises and an attempt to address these issues would result in the creation of unsatisfactory living conditions to the detriment of residential amenity. As a result the proposed development would be contrary to the provisions of policy 34 of the Adur Local Plan (2017) and provisions of the National Planning Policy Framework (2019).

NOTES TO APPLICANT

01. For the avoidance of doubt this refusal relates to the following drawings/plans:-

Reference/Drawing Number	Version	Date Rec
BLOCK PLAN	20038-P-002 REV A	10.08.2020
PROPOSED LAYOUTS	20038-P-111-C	10.08.2020

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT

Appeals to the Secretary of State

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

2. If you want to appeal, then you must do so within six months of the date of this notice. **Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000**.

3. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.

4. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

5. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

6. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

7. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Planning Act 1990.

8. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

9. Where this notice conveys approval or permission, conditional or unconditional, please note that the decision given does not purport to convey any consent or approval which may be required under the Building Act and Building Regulations, or any other legislation.